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HANDBOOK OF THE LAW OF TORTS. By H. Gerald Chapin. St. Paul: West Publishing Co. 1917 (Hornbook Series). pp. xiv, 695.

The professed purpose of the Hornbook Series is to provide elementary treatises on all the principal subjects of the law. The series now numbers thirty-four, and in a number of instances a Hornbook has reached its third edition. One of the earliest of these publications was the valuable work of Professor Jaggard on Torts (1895). No second edition of Jaggard has appeared; perhaps it has been found desirable, in the interests of symmetry in the series, that Torts should be dealt with in one volume instead of two, as was the case with Jaggard on Torts.

Professor Chapin has written a book which accomplishes excellently the objects of the Hornbook Series, namely, a brief statement of leading principles, a more extended commentary on those principles, and a citation of authorities. But this necessarily implies limitations upon the scope of the books; a full discussion of principles is not possible. However, a handbook cannot be expected to fulfill all purposes; it cannot be at the same time an elementary treatise and an exhaustive exposition. A handbook serves the practising lawyer by placing at his disposal a condensed statement of principles, supported by references to the more important decided cases. To the student it offers an opportunity for a review of the subject with the additional light thrown upon it by a statement of it in terms sometimes differing from those with which he has become familiar in the class-room. In so far as he has been permitted by the limitations of space imposed upon him, Professor Chapin offers useful discussions of principles and authorities.

In addition to this textbook, the author has edited a small case-book on Torts. The textbook contains references in special type to the authorities contained in the case-book, and as these references occur on almost every page of the textbook, the case-book should form a convenient companion volume to the Hornbook.

JENS I. WESTENGARD.

THE ELEMENTS OF JURISPRUDENCE. By Thomas Erskine Holland, K. C. Twelfth Edition. New York: Oxford University Press, American Branch. London: Humphrey Milford. 1916. pp. xxv, 454.

When any treatise on the Elements of Jurisprudence has passed into a twelfth edition, it is, by sheer force of that fact alone, entitled to the most profound respect. In such a case the disposition of the reviewer must be either frankly humble or frankly bold. If he be of humble turn, he will make perfunctory note that the author has here "aimed at producing a text which may be regarded as practically final"; and he will duly agree that, so far as it is within human power, Doctor Holland has accomplished his aim. After many years of vision and revision he has given us a treatise that is correct to a detail, profound and searching in its analysis, and elevated into line with the latest pertinent decisions and legislation.

Now, if he be of more adventurous disposition, he will yield to the temptation to regret that in this book practically no consideration is accorded to current studies in the science of law, particularly to recent French writings on Jurisprudence. He will be tempted to go further and register an objection to the sterile abstractions which seem to be the inevitable product of the Analytical School. According to the logical process of inclusion and exclusion, it may be accurate, but it is in no wise helpful, to define the state as "a numerous assemblage of human beings, generally occupying a certain territory, amongst whom the will of the majority, or of an ascertainable class of persons, is by the strength of such a majority, or class, made to prevail against any of their number who oppose it" (p. 46). On the other hand, according to these same

canons, it may be inaccurate to describe the state as an extensive fellowship of men, normally gathered together within a limited territory: wherein certain persons, to whom the rest defer, administer the affairs of government that all may have life, and that more abundantly. But such a paraphrase of the author's definition, for all its likely faults, is more human, more helpful and more hopeful than its original.

Lastly, your adventurous reviewer will be led to advance the hope that some day another Maitland will come to write in English a book on the science of law that shall embody insight, imagination, and literary power. It is a far call back to Thomas Hobbes — our mountain-peak of all these qualities. But until the second advent of a Maitland, let us not fail to recognize the high merit of Doctor Holland's Book: it is a definitive work of its necessary and valuable type.

WHITNEY SHEPARDSON.

POSSESSORY LIENS IN ENGLISH LAW. By Lancelot Edey Hall. London: Sweet and Maxwell, Limited. pp. 88.

This is a statement of English authorities on possessory liens. It is compact, logically arranged, accurate, and usually adequate on elementary propositions.

An English writer is not perplexed and stimulated by conflicting decisions as is an American writer. If he finds that the English courts have decided a point, and such decision is within the bounds of reason, there does not seem to be any particular occasion for considering the matter further. The American writer is likely to find that the same point has been decided differently by two courts of last resort, and that both decisions are well within the bounds of reason. If he has an intellectual conscience he is thereupon driven to independent thinking. Dr. Hall gives meagre evidence of independent thinking. There is about his book the charm of a Blackstonian finality and complacency.

E. H. WARREN.

THE LAW APPLIED TO MOTOR VEHICLES. By Charles J. Babbitt. Second Edition by Arthur W. Blakemore. Washington: John Byrne and Company. 1917. pp. cxxvi, 1262.

BREACHES OF ANGLO-AMERICAN TREATIES: A STUDY IN HISTORY AND DIPLOMACY. By John Bigelow. New York: Sturgis and Walton Company. 1917. pp. ix, 248.

THE PSYCHOLOGY OF SPECIAL ABILITIES AND DISABILITIES. By Augusta F. Bronner. Boston: Little, Brown and Company. 1917. pp. 269.

CASES ON THE LAW OF PRIVATE CORPORATIONS, SELECTED AND SUPPLEMENTED WITH NOTES. By Daniel Frederick Burnett. Boston: Little, Brown and Company. 1917. pp. xxix, 828.

CASES AND OTHER AUTHORITIES ON LEGAL ETHICS. By George P. Costigan, Jr. American Casebook Series. St. Paul: West Publishing Company. 1917. pp. xxvii, 616.

STANDARDS OF AMERICAN LEGISLATION. An Estimate of Restrictive and Constructive Factors. By Ernst Freund. Chicago: The University of Chicago Press. pp. xx, 327.

MENTAL CONFLICTS AND MISCONDUCT. By William Healy. Boston: Little, Brown and Company. 1917. pp. xi, 330.